DOCUMENT RESUME

ED 101 751 IR 001 611

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TITLE The Curse of Interesting Times.
INSTITUTION American Library Association, Chicago, Ill. Office of Intellectual Freedom.
PUB DATE Oct 74
NOTE 7p.; Paper presented at the Pennsylvania Library Association Annual Meeting (Lancaster, Pennsylvania, September 29 to October 2, 1974)

EDRS PRICE MF-$0.76 HC-$1.58 PLUS POSTAGE
DESCRIPTORS *Censorship; Civil Liberties; Credibility; *Freedom of Speech; Librarians; *Library Role; *Moral Issues; *Political Influences; Political Issues; Politics; Speeches
IDENTIFIERS *Intellectual Freedom; Pornography; Watergate

ABSTRACT

The Watergate scandal has profoundly shaken the confidence of the American people in their government. One aspect of Watergate which can be immediately corrected is that of secrecy. In the abolition of secrecy and the defense of intellectual freedom, librarians have a role to play. American librarianship has taken upon itself the task of providing free and unbiased access to information, but there are still restrictions being placed on this role. The recent Supreme Court decisions on obscenity have provided the public with the mechanisms needed to control the kinds of materials to be made available at the local level, although the Supreme Court guidelines are by no means clear. Most would-be censors are well-meaning people; reflecting the confusion and loss of confidence of the nation as a whole, they hope, by the simplistic solution of banning books, to abolish the complex social issues which these books portray. Many of the excesses of pornographers and politicians have been accomplished in the name of freedom. If the library profession is to succeed in its defense of intellectual freedom, it must strive to make that term respectable again. (Author/SL)

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IR001611

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THE CURSE OF INTERESTING TIMES

JUDITH F. KRUG

An address presented at the Pennsylvania Library Association Annual Conference, September 30, 1974.

A public relations specialist once told me that public relations is "90 percent performance and 10 percent interpretation. In other words, public relations is doing a good job and telling people about it. But what is *said* is *considerably less important* than what is *done*. This interpretation takes on added significance when applied to intellectual freedom; in fact, given the time in which we are now living, this explanation should become our motto.

There is no doubt, in my mind, that we are living in very "interesting" times. Just think of some of the events of the last 10 years or so: the assassination of a President; the murder, on television, of his assassin; men walking on the moon; a political scandal that makes Teapot Dome look like a kindergarten picnic; and barely 2 months ago, for the first time in history, the resignation of a President of the United States. And these are only a few events that immediately come to mind. Yet the ramifications and implications of each of these incidents, let alone all of them together, lead us to understand an ancient Chinese curse which, in paraphrase, goes, "May you live in times that are interesting."

The resignation of Richard M. Nixon has had a profound impact on our lives, beginning with an audible, and even visible, national sigh of relief. Closer to home, it led the ALA Office for Intellectual Freedom to undertake an in-depth, if hurried, analysis of where our program stood in light of the resignation. The analysis was by no means an academic exercise—for libraries, and particularly the concept of intellectual freedom, do not operate in a vacuum. Libraries are an integral part of our society, and intellectual freedom, being an intangible concept, is susceptible to every nuance and every wind that blows, however lightly. A miscalculation of the mood of the body politic could spell disaster for the concept of intellectual freedom in libraries. What, then, did our analysis show?

First, it confirmed that Watergate and its attendant horrors have been the largest single factor affecting the American *psyche* for the last 2 years. It showed, secondly, that the single greatest *effect* of Watergate is a loss of confidence by the American public in "America." Many citizens no longer believe that the constitutional republican form of government is capable of solving the problems facing us in the latter part of the 20th century.

As you are well aware, our form of government was the first contrived constitutional system in history. It was an experiment in almost every aspect: federalism; the separation of powers; the Presidential office; the independent judiciary; the principle that all authority derives from below and not from above; the new techniques of change and amendment which, in effect, institutionalized revolution. Only a mature and sophisticated people could have made it work and the fact that we did make it work is a tribute to the maturity and the sophistication of the American people. And yet, it is

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solving to recall that every one of the great political and constitutional institutions of the American governmental system was invented before the year 1800 and that not one has been invented or has emerged since that time.

The government, however, does not operate by itself. While it is a system of laws, men make it function. I don't think that there is any question that the decline in political leadership in this country is spectacular. I cannot think of one person who in I consider to be presidential timber for 1976. And yet in 1776, we had a George Washington—as compared to a Richard Nixon; and a John Adams—as compared to a Spiro Agnew; and a Thomas Jefferson—who wrote the Constitution of the United States when he was only 33 years old. These persons came from a nation with a population that was half that of the city of Chicago's current population.

Basically, I do not believe that the problem posed by Watergate is either constitutional or political. It is, in a word, moral.

Nixon amended the Constitution by personal fiat. He challenged the principle of the separation of powers. He propounded the principle that the chief executive is above the law. He attempted to merge the office and the man, thereby arrogating to himself a body of privileges and immunities unknown to the Constitution or to law. He dismissed as anachronistic the protections of the Bill of Rights, which, in my opinion, is one of his two worst misdeeds. His other greatest misdeed was his confession that he had no confidence in the virtue or in the intelligence of the American people, or, for that matter, in their representatives in Congress. Because of this belief he chose to conceal his own activities, foreign and domestic alike, in a fog of secrecy.

It is these sins that Watergate has come to symbolize: the corruption of the presidential office and the widespread usurpation of powers by the president; corruption of the democratic processes; growth of a police state which covers its activities in secrecy; and contempt for the guarantees of the Bill of Rights.

The constitutional system has not broken down. The Constitution has not failed us. However, we have been failed by those individuals in whom we placed our trust by casting our vote on their behalf and who then persistently violated the Constitution. It's not our political mechanisms which have failed us, but those who repudiate the traditional political mechanisms.

I suspect that corrective measures will be taken and one of the concerns that I personally have with such corrective measures is that they may tend to go overboard and in correcting the potential for abuse, destroy what is strongest and most viable in our system. But that, of course, is the topic of another discussion.

There is one aspect of Watergate which I feel should be corrected immediately and that is secrecy. All secrecy must end except for genuine emergencies during the time of war. And it is in regard to the abolition of secrecy that librarians have a role to play.

The role has a name: it is "defender and promoter of the concept of intellectual freedom." In its pure use, this concept is the right of any person to believe what he wants on any subject, and to express his beliefs orally or graphically, publicly or privately, as he deems appropriate. The ability to express your opinions does not mean very much if there is no one on the receiving end to hear what you are saying, to read what you are writing, or to view what you are producing. So the definition of intellectual freedom has a second part: total and complete freedom of access to all information and ideas regardless of the media of communication used. This, in turn, gives a person the basis on which to form his own opinions and decisions. Once these are formed, he too is free to express his beliefs. Intellectual freedom, then, is a circle; a cir-

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cle broken if either the ability to produce or access to the productions is stifled.

American librarianship took this general definition and, on the basis of the First Amendment to the United States Constitution, assumed the responsibility to provide through America's libraries materials representing all points of view on all questions and issues of our times. We also took on a concurrent responsibility to make these ideas and opinions available to everyone who needs or wants them, regardless of age, race, religion, national origins, or social or political views.

Librarianship accepted these responsibilities in the full knowledge that the constitutional republican form of government is only as effective as its electorate is enlightened. If we are committed to a government by the people, for the people, and of the people, then the people must have a full range of information available to them on which to form their decisions, their opinions, and their actions. The American people, given all the information, are capable of making the appropriate decisions. Trite as it may seem, we are a resourceful and enterprising people. It might be well to point out that the Constitution and the democratic processes saw us through crises just as grave as those which confront us today: the crisis of the survival of the nation in the early years of the republic; the crisis of the Civil War and Reconstruction; the crisis of the Great Depression; and, of two world wars. But, the tool for "coming through"—*information*—must be available.

The American public is far more sophisticated and more highly educated than ever before. There is absolutely no justification for a belief that the average middle class American is not capable of handling certain information or surviving certain experiences—such as a trial of a former president.

And as to providing information, it must be remembered that the library is the only public institution in the United States where materials representing all points of view are available. In fact, I truly believe that the library is the only place where First Amendment dictates can be fulfilled.

But, let's not forget the old Chinese curse, "Interesting" in the instant situation leads us to look below the surface.

First, the loss of confidence that we see in the country is focused on the national level. Indeed a large number of Americans have written off national politics; some have even gone as far as to indicate that they expect nothing less than corruption on the national level. Simultaneously, however, these individuals are tightening their grasp on that area of the government over which they have some control, namely, the local level.

There are, of course, contributing factors. One of the most obvious is the Supreme Court decisions of June 1973, reaffirmed in June 1974. There were, in the five initial decisions, two aspects which not only directly affect librarianship, but also provide the public with the mechanisms needed to control the kinds of materials that will be made available on the local level. In the first instance, the U.S. Supreme Court changed the guidelines for determining what materials can be declared obscene and pornographic, and therefore illegal. Now we determine legality or illegality according to "whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value." As you will note, there is not in this guideline a provision for works that have educational, recreational, emotional, or other values that have meaning to librarians. And these lacks are causing us problems.

For instance, does this test mean that libraries should no longer collect materials like Penelope Ashe's *Naked Came the Stranger?* This is the spoof on current "best sellers," containing 20 chapters, each of which was written by a reporter who had no idea what any of the other 25 contributors was writing. It is a spoof, and we must ask if spoofs can also be "serious."

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Another example is *The Joy of Sex*. As you are probably aware, two editions of this book have been published, an illustrated version and an unillustrated one. We might then ask if the illustrated version is seriously artistic and if the unillustrated one seriously literary? Do the illustrations detract from literary quality? Or, are the illustrations so explicit that the book might pass for clinical and, therefore, be considered scientific?

Thus, the first problem presented by the 1973 and 1974 obscenity decisions as they relate to libraries is the specification of the roles of communicative materials.

As problematic as that new guideline may be, however, many more problems are developing for libraries and librarians in regard to the Supreme Court's determination that community standards are not to be interpreted as the standards of the national community but rather are to be considered local standards. Not long after the first decisions were handed down in June 1973, we did a little research to find out what could logically be considered a "local community." We came up with 78,217 units of local government; 16,956 school districts; and thousands of State and Federal judicial districts all of which, in various contexts, can be considered "local communities." As far as communicative materials are concerned, local standards are a disaster. Pure economics dictate that authors and publishers who wish to sell their products widely will aim at the lowest common denominator—the least inoffensive, the least controversial will be the norm.

It was this effect of local community standards that ALA brought to the Court's attention in its *amicus* briefs filed in the *Carnal Knowledge* and *Hamling* cases during the last term of the U.S. Supreme Court. The decision in *Hamling*, if you can imagine, made the situation worse than it had been, for the Court said that "local community standards" in obscenity trials did not refer to any "precise geographical area." Writing for the majority, Justice William H. Rehnquist reiterated the Court's view that the First and Fourteenth Amendments do not require uniform national standards. He said: "A juror is entitled to draw on his own knowledge of the view of the average person in the community or vicinage from which he comes for making the required determination [of obscenity] . . ."

What does this mean in practical terms? It means that two juries sitting simultaneously in the Federal Building in Chicago, considering the same movie or book, could bring in opposite verdicts. Their verdict would depend solely on what the jury believed would be acceptable to their fellow citizens.

"Local community standards" has also led to such absurdities as *The Happy Hooker* being legal in the City of St. Louis, but illegal in St. Louis County. If you buy the book in St. Louis and then happen to go into the county, you could be arrested. A ridiculous situation? I think so!

Another factor contributing to this uncomfortable time for intellectual freedom in libraries is that most censors are well-meaning. A large percentage of the persons who want materials removed are parents, and their concern is protecting their children. They are being buffeted by events that they have difficulty understanding and absolutely no hope of controlling. Inflation is certainly the number one problem and this is followed by the uncertain employment situation, the educational system, housing, the use of drugs, and so on. To many persons, censorship is the easy solution to complex, if not insoluble, problems. In other words, they believe that if young people are not permitted to read books related to drugs, such as *Go Ask Alice*, the drug problem will disappear. If it doesn't disappear, at least it will not touch their children. A simplistic solution? Yes! But quite a real one to those persons who will accept it.

The censorship attempts we've been en-

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countering reflect the confusion, loss of confidence, tightening of control, and, yet, indecision of the nation in general. In Gulf Breeze, Florida, the principal of an elementary school ordered Hila Colman's *Diary of a Frantic Kid Sister* removed from the school library because "the language used is not fit for elementary school children to be exposed to." Having read this book, I think the principal was less concerned with language and more concerned with the fact that the heroine points out that many adults, and especially teachers and principals, lie a lot to "the kids."

The school board of the Baltimore City School System attempted to ban *Manchild in the Promised Land*. The woman who brought up the subject said, "I think we should teach children morals first, and then educate them." A fellow board member did not quite see this reasoning; his complaint against the book was that he felt that schools should not teach children what it's like, but should teach them what it ought to be.

Sounder came under attack in one school district because, while "it was well written," it would do nothing to aid communication between blacks and whites. The book was also attacked as derogatory to the basic family life concept.

In Rock Island, Illinois, several parents attempted to ban *Go Ask Alice* from the school library. Speaking for the group, one woman said that she feels the book is of "low literary quality" and its presence on school library shelves could lead students to believe it is "acceptable reading material" about acceptable behavior.

In Pittsfield, Vermont, *Portnoy's Complaint* and *The Exorcist* were removed from a library—by a constable who did not think the community residents would want that kind of materials.

In Junction City, Kansas, a First Southern Baptist youth group burned copies of *Playboy* and *The Exorcist* to protest "filth, pornography," nudity and blasphemy.

In a junior high school in Miami, Florida, six copies of *The Land and People of Cuba*, a book about the history, economy, and politics of Cuba, were removed from the library by the principal who ruled that the book is anti-American and biased in favor of a pro-Castro viewpoint.

Threatening "to nail the political hides of a bunch of people to the wall," nearly 200 parents in Bristol, Virginia, promised court action against the board of school supervisors after it had rejected a resolution opposing a textbook. The work, *The Responding Series*, used in many Virginia schools, contains short stories written by 25 contemporary authors, including Erskine Caldwell and Philip Roth. The parents, however, contend that the textbook contains "communist-inspired, anti-Christ, and sex novels."

In Spencer, Iowa, a controversy over *The Joy of Sex* was just resolved. The problem concerned free access to the illustrated version of this book and the effect that the viewing of "such pictures" would have on children. The resolution, to quote the librarian involved, was a partial victory and a partial defeat. The illustrated version of *The Joy of Sex* is being removed from the library and is being replaced by the unillustrated version. On balance, I find that the victory was greater than the defeat—open shelving remains, and the written information contained in the book will still be available. Let me explain why I think we were victorious in this instance.

As I have tried to point out, we are functioning in "interesting," if not "unique," times. As a profession, we are in the forefront of the drive to "make freedom respectable." Much has been done in the name of freedom—from the excesses of the pornographers to the excesses of the politicians. If we are to be successful in our attempts to help abolish secrecy, to help restore confidence in the government, and to help the constitutional republic function as it was meant to, "freedom" must once again become respecta-

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ble. However, to do this, we must not allow ourselves to become absolutists in our own right. In other words, adherence to the principles of intellectual freedom can never be an either/or proposition. We can never place ourselves nor, for that matter, the profession in a situation where the attainment of the primary goal, intellectual freedom, is impossible because there is no flexibility in the avenues by which it can be reached. When a goal becomes unattainable, it is in effect discarded as part of an individual's functioning. We must maintain a flexibility about the concept of intellectual freedom in the hopes that individuals will strive to reach it in the best ways that they know and through avenues open at any given point in time.

When a school librarian is faced with a principal who says "Get that filthy book out of here," we do not call on this individual to refuse to remove the book. He is then insubordinate and he is subject to being fired. Rather, we tell the school librarian that as you slowly reach up to take the book off the shelves, tell the principal why, as a librarian, this removal is contrary to your professional ethics. It might not work the first time; nor even the 101st time. But maybe on the 102nd time, the principal will say, "Wait, leave the book on the shelf. We will fight this together."

In Spencer, Iowa, open shelving was retained, and the information that is available in *The Joy of Sex* is still on the shelves for everyone and anyone who wants to read the book. More importantly, the library board of trustees, faced with forty written complaints, including eight from clergymen, made a compromise with the community and at the same time retained their dignity and integrity. The Spencer librarian said, "We all learned something from this, and I think the board is going to be better prepared, and even stronger and more supportive, the next time."

Article III of the *Library Bill of Rights* says that "Censorship should be challenged by libraries in the maintenance of their responsibility to provide public information and enlightenment." Every censorship incident which I have mentioned was challenged. We have not won them all—nor indeed, will we ever win them all. The important thing is that we continue to bring to the public's attention the fact that censorship is practiced in this country; that censorship is, in effect, secrecy; that librarians stand in direct opposition to censorship; and that libraries based on the concept of intellectual freedom are the monuments to our opposition to censorship.

In these interesting times in which we find ourselves, our responsibility stands out clearly. It is a responsibility that we assumed for ourselves, and it is now very clear that we are the only group capable of fulfilling this responsibility. We have no economic axe to grind, no political axe, no philosophical axe. The benefits which accrue to the profession by fulfillment of our intellectual freedom goals and responsibilities is the same benefit which accrues to each and every individual in the United States. President James Madison said it best and 150 years after the words were written, they still ring true:

> A popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own governors, must arm themselves with the power which knowledge gives.

This brings us back to the library because the knowledge and, therefore, the power is in that institution. It's not how we *talk* about our power that is important—it is what we *do* with it. And *that* is up to you.

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